UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,046	07/11/2001	William M. Dovin	END920010022US1 (14549)	9408

7590 11/30/2005	EXAMINER

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ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/903,046	DOVIN ET AL.
		Examiner	Art Unit
		Adam L. Basehoar	2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>02 September 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,7-15,17-25,28-35,37-42,45-51 and 53-58* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,7-15,17-25,28-35,37-42,45-51 and 53-58* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some *   c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: The RCE filed 09/02/05.

2.   The previous rejections to the claims have been withdrawn as necessitated by

Amendment.

3.   Claims 1-4, 7-15, 17-25, 28-35, 37-43, 45-51, and 53-58 are pending in the case.

Claims 1, 12, 22, 33, 41, 49, and 57-58 are independent claims.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-2, 7-9, 11-13, 17-19, 21-23, 28-30, 32, and 57 are rejected under 35

U.S.C. 103(a) as being unpatentable over Yahoo Screen Pages, 10/05/1999, pp. 1-5,

http://web.archive.org/web/19991005031700/http://dir.yahoo.com/Arts/Artists/Masters/D

irectories/. (Hereafter referenced as Yahoo) in view of Bates et al (US-6,557,015

04/29/03).

        -In regard to independent claims 1, 12, 22, and 57, Yahoo teaches:

        a web server (Yahoo web server);

        a web browser associated with the client (pp. 1-5, rendered by user's browser);

wherein the Yahoo web server embeds a breadcrumbing engine (i.e. embeds the breadcrumbing trail dependent on previous traversals) into each web page before each web page was downloaded to the browser (pp. 1-5), where the breadcrumbing engine executed by said web browser performs the steps:

generating, at said client, a breadcrumb (pp. 2-5: "Home", "Arts", "Artists", "Masters", "Directories") for each web page downloaded to a web browser (each page, 1-5, represent a downloaded web page in succession from the previous page) associated with the client (user) from a web server (Yahoo web server) associated with the Website (yahoo.com), the breadcrumbs including navigation information (Title & URL Link) for each downloaded web page downloaded by a user;

storing breadcrumbs associated with web pages downloaded to the web browser at the client (i.e. downloaded web pages and breadcrumbs are stored in user's computer Internet temp file or cache);

dynamically updating, at said client, the stored breadcrumbs (pp. 3: "Home> Arts >") with the generated breadcrumb (pp. 4: "Home > Arts > Artists >") to form a breadcrumb navigation trail (pp. 5: "Home > Arts > Artists > Masters >) of breadcrumbs associated with navigation of the web pages visited as the Website; and

displaying the formed breadcrumb trail on each downloaded web page for user selection (pp. 1-5).

Yahoo does not teach dynamically updating the stored breadcrumbs without downloading from said web server any information describing a web page's location in a web site hierarchy. Bates et al teach a client side method for dynamically updating stored breadcrumbs with a generated breadcrumb to form a navigation trail without

downloading from said web server any information describing a web page's location in a

web site hierarchy (i.e. only downloads web page's URL)(column 3, lines 5-11; column

6, lines 16-36; column 8, lines 61-67; column 9, lines 1-4)(Fig. 3). It would have been

obvious to one of ordinary skill in the art at the time of the invention for Yahoo to have

dynamically updated the breadcrumb navigation trail without downloading from said web

server any information describing a web page's location in a web page hierarchy, because

Bates et al teach creating the breadcrumbing (i.e. navigation) trail on the client side

permits a user to navigate from an origination hypertext document to a destination

hypertext document simply by following the "trail" of interlinked hypertext documents to

the destination (column 2, lines 49-59).

-In regard to dependent claims 2, 13, and 23, Yahoo teaches where the navigation

info includes a title (pp. 3: "Home > Arts >) and a URL (pp. 3: Selectable URLs "Home"

and "Arts") for each downloaded web page.

-In regard to dependent claims 7, 17, and 28, Yahoo teaches determining whether

the breadcrumb for each downloaded web page was already stored at the client (e.g.

clicking from pp. 5 "Arts" which was a breadcrumb already stored from the traversal

from the home page which results in removing the "Arts" breadcrumb and all subsequent

breadcrumbs ("Artists" and "Masters") in the navigation trail).

-In regard to dependent claims 8, 18, and 29, Yahoo teaches removing the

breadcrumb and subsequent breadcrumbs from the stored breadcrumbs if the breadcrumb

was determined to be stored at the client (i.e. clicking from pp. 5 "Arts" which was a breadcrumb already stored from the traversal from the home page and removing the "Arts" breadcrumb and all subsequent breadcrumbs ("Artists" and "Masters") in the navigation trail).

-In regard to dependent claims 9, 19, and 30, Yahoo teaches appending the breadcrumb (pp. 3: "Artists") to existing breadcrumbs (pp. 2: "Home" and "Arts") stored at he client to form the breadcrumb navigation trail (pp. 3) if the breadcrumb was not already stored at the client.

-In regard to dependent claims 11, 21, and 32, Yahoo teaches iterating thru the breadcrumbs in the breadcrumb navigation trail (pp. 5); and displaying a last breadcrumb (pp. 5: "Directories") in the breadcrumb trail (pp. 5: "Home > Arts > Artists > Masters >") as plain HTML and displaying preceding breadcrumbs as HTML links (pp. 5: "Home > Arts > Artists > Masters >") to the corresponding web pages.

6.   Claims 33-34, 37-42, 45-50, 53-56, and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yahoo Screen Pages, 10/05/1999, pp. 1-5, http://web.archive.org/web/19991005031700/http://dir.yahoo.com/Arts/Artists/Masters/Directories/. (Hereafter referenced as Yahoo) in view of Bates et al (US-6,557,015 04/29/03) in further view of Wecker (US-5,806,077 10/08/98).

-In regard to independent claims 33, 41, 49, and 58, Yahoo teaches:

a web server (Yahoo web server);

a web browser associated with the client (pp. 1-5, rendered by user's browser);

wherein the Yahoo web server embeds a breadcrumbing engine (i.e. embeds the breadcrumbing trail dependent on previous traversals) into each web page before each web page was downloaded to the browser (pp. 1-5), where the breadcrumbing engine performs the steps:

generating a breadcrumb (pp. 2-5: "Home", "Arts", "Artists", "Masters", "Directories") for each web page downloaded to a web browser (each page, 1-5, represent a downloaded web page in succession from the previous page) associated with a client (user) from a web server (Yahoo web server) associated with the Website (yahoo.com), the breadcrumbs including navigation information (Title & URL Link) for each downloaded web page;

storing breadcrumbs associated with web pages downloaded to the web browser at the client (i.e. downloaded web pages and breadcrumbs are stored in user's computer Internet temp file or cache);

dynamically updating the stored breadcrumbs (pp. 3: "Home> Arts >") with the generated breadcrumb (pp. 4: "Home > Arts > Artists >") to form a breadcrumb navigation trail (pp. 5: "Home > Arts > Artists > Masters >) of breadcrumbs associated with navigation of the website.

Yahoo does not teach dynamically updating the stored breadcrumbs without downloading from said web server any information describing a web page's location in a web site hierarchy. Bates et al teach a client side method for dynamically updating stored breadcrumbs with a generated breadcrumb to form a navigation trail without

downloading from said web server any information describing a web page's location in a

web site hierarchy (i.e. only downloads web page's URL)(column 3, lines 5-11; column

6, lines 16-36; column 8, lines 61-67; column 9, lines 1-4)(Fig. 3). It would have been

obvious to one of ordinary skill in the art at the time of the invention for Yahoo to have

dynamically updated the breadcrumb navigation trail without downloading from said web

server any information describing a web page's location in a web page hierarchy, because

Bates et al teach creating the breadcrumbing (i.e. navigation) trail on the client side

permits a user to navigate from an origination hypertext document to a destination

hypertext document simply by following the "trail" of interlinked hypertext documents to

the destination (column 2, lines 49-59).

Yahoo does not teach setting a time stamp corresponding to the breadcrumb

navigation trail and storing it at the client, determining whether a time interval between

the time stamp and the time a newly downloaded web page was received exceeds a

threshold, and displaying the navigation trail on the downloaded web page if the time

interval exceeds the threshold. Wecker teaches setting a time stamp corresponding to

breadcrumb navigation trail (footprint time stamp of each visited link)(column 1, lines

64-67) and storing it at the client (column 4, lines 42-43)(Fig. 1: 10), determining a time

interval between the time stamp (Fig. 3: "Last Visit") and the newly downloaded web

page (column 1, lines 66-67) to see if it exceeds a threshold (column 4, lines 54-63), and

displaying a navigation trail on the downloaded web page (i.e. footprints or marker: Fig.

2: 26) if the time interval exceeds the threshold (column 5, lines 1-3). It would have been

obvious to one of ordinary skill in the art at the time of the invention for Yahoo to have

saved a time stamp and computed a time interval and threshold as shown in Wrecker,

because Wrecker teaches by doing so the user was given more control via a prompt to edit the navigation trail to their personal preferences (column 4, lines 54-58 & 63-66)(Fig. 3).

-In regard to dependent claims 34, 42, and 50, Yahoo teaches where the navigation info includes a title (pp. 3: "Home > Arts >) and a URL (pp. 3: Selectable URLs "Home" and "Arts") for each downloaded web page.

-In regard to dependent claims 36, 44, and 52, Yahoo teaches wherein the Yahoo web server embeds a breadcrumbing engine (i.e. embeds the breadcrumbing trail dependent on previous traversals) into each web page before each web page was downloaded to the browser (pp. 1-5), where the breadcrumbing engine performs the steps (a)-(e).

-In regard to dependent claims 37, 45, and 53, Yahoo does not teach defining the threshold within the breadcrumbing engine of each downloaded web page. As discussed above in the rejection of the independent claims 33, 41, 49, and 58, Wrecker teaches establishing a time based threshold (column 4, lines 54-63) to help manage the user display.

-In regard to dependent claims 38, 46, and 54, Wecker teaches prompting a user (Fig. 3) regarding whether the user would like to resume navigation according to the

breadcrumb navigation trail (column 4, lines 54-58), to help the user better manage the user display.

-In regard to dependent claims 39, 47, and 55, Wrecker teaches if the user chooses to resume navigation according to the trail (i.e. the user decides not the "Clear" the trail)(column 4, lines 54-58), the method further sets the time stamp associated with the breadcrumb navigation trail to the time associated with the downloading of the web page (i.e. a time stamp would be stored for the resumption of the trail and be saved to a file (Fig. 1: 10) as the "Last Visit" date) (Fig: 3) according to navigation information of a last breadcrumb in the breadcrumb navigation trail (column 4, lines 32-41) and storing the time stamp at the client (column 4, lines 42-43).

-In regard to dependent claims 40, 48, and 56, Wrecker teaches if the user chooses not to resume navigation according to the trail (i.e. the user decides to "Clear" the trail)(column 4, lines 54-58), the method deletes all breadcrumbs stored at the client (column 4, lines 55-58) and storing a breadcrumb generated for the subsequent downloaded web page at the client (column 4, lines 42-43) to form a new breadcrumb navigation trail (i.e. the subsequent "first visit" time would be stored)(column 4, lines 36-38);

setting the time stamp to the time associated with the subsequent downloaded web page and storing the time stamp at the client (column 4, lines 36-41)(Fig. 1: 10); and

displaying the new breadcrumb navigation trail on the subsequent downloaded web page (Fig. 2: 26).

7.   Claims 3-4, 10, 14-15, 20, 24-25, and 31 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Yahoo Screen Pages, 10/05/1999, pp. 1-5,

http://web.archive.org/web/19991005031700/http://dir.yahoo.com/Arts/Artists/Masters/D

irectories/. (Hereafter referenced as Yahoo) in view of Bates et al (US-6,557,015

04/29/03) in further view of Privacy Compliance Resources, "Cookies," 02/10/01, pp. 1,

http://web.archive.org/web/20010210192514/http://www.idcide.com/pages/res_term.htm.

       -In regard to dependent claims 3, 14, and 24, Yahoo does not teach creating a

client-side cookie for storing the breadcrumbs associated with web pages downloaded to

the web browser. Privacy Compliance Resources teaches that cookies were small text

files that Web sites place in your computer. It would have been obvious to one of

ordinary skill in the art at the time of the invention for Yahoo to store the breadcrumbs as

client-side cookies, because Privacy Compliance Resources teaches that cookies help

user browsers remember specific information and remind users what they had already

traversed on the web, which would have allowed the users of Yahoo to go back to a given

page and see a quick reference to the path of interest they had followed to get there.

       -In regard to dependent claims 4, 15, and 25, Yahoo teaches providing the title

(pp. 3: "Artists") associated with each downloaded web page within each downloaded

web page (pp. 3).

       -In regard to dependent claims 10, 20, and 31, Yahoo does not teach determining

whether the client has a client-side cookie and creating the client-side cookie if the client

does not have it; and setting a breadcrumb generated for a downloaded web page into the client side cookie. As discussed above in the rejection of claims 3, 14, 24, 35, 43, and 51, Privacy Compliance Resources teaches that cookies were small text files that Web sites place in your computer. It would have been obvious to one of ordinary skill in the art at the time of the invention for Yahoo to store the breadcrumbs as client-side cookies, because Privacy Compliance Resources teaches that cookies help user browsers remember specific information and remind users what they had already traversed on the web, which would have allowed the users of Yahoo to go back to a given page and see a quick reference to the path of interest they had followed to get there.

8.   Claims 35, 43, and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yahoo Screen Pages, 10/05/1999, pp. 1-5, http://web.archive.org/web/19991005031700/http://dir.yahoo.com/Arts/Artists/Masters/D irectories/. (Hereafter referenced as Yahoo) in view of Bates et al (US-6,557,015 04/29/03) in further view of Privacy Compliance Resources, "Cookies," 02/10/01, pp. 1, http://web.archive.org/web/20010210192514/http://www.idcide.com/pages/res_term.htm, further in further view of Wecker (US-5,806,077 10/08/98).

        -In regard to dependent claims 35, 43, and 51, Yahoo does not teach creating a client-side cookie for storing the breadcrumbs associated with web pages downloaded to the web browser. Privacy Compliance Resources teaches that cookies were small text files that Web sites place in your computer. It would have been obvious to one of ordinary skill in the art at the time of the invention for Yahoo to store the breadcrumbs as client-side cookies, because Privacy Compliance Resources teaches that cookies help

user browsers remember specific information and remind users what they had already

traversed on the web, which would have allowed the users of Yahoo to go back to a given

page and see a quick reference to the path of interest they had followed to get there.

Yahoo further does not teach storing a time stamp in the cookie. Wrecker teaches

storing a breadcrumb time stamp local to the client (column 3, lines 38-44)(Fig. 1: 10). It

would have been obvious to one of ordinary skill in the art at the time of the invention for

Yahoo to have stored a time stamp in the client side cookie, because Wrecker teaches

storing a breadcrumb time stamp could be used to determine the last and first user visits

to a downloaded web page (column 4, lines 36-41 & 58-67).

Response to Arguments

9.   Applicant's arguments with respect to claims 1, 12, 22, 33, 41, 49, 57, and 58

have been considered but are moot in view of the new ground(s) of rejection.

-In general, the limitation of dynamically updating the stored breadcrumbs with

the generated breadcrumb when visiting a given web page for a given web site has been

associated with creating a new navigation trail to display to the user by either appending

or removing breadcrumbs based on the current web page. Updating the stored

breadcrumbs to overcome website changes (i.e. renaming, deleting, adding, and

moving)(Remarks: Page 21: Lines 7-8) are not limiting factors of the present clams.

Conclusion

10.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

US-6,810,395   10-2004   Bharat, Krishna

Lee Underwood, "How to Create a JavaScript Breadcrumb Script", 01/31/05, pp.

1-4, http://webreference.com/js/scripts/breadcrumbs/.

11.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Adam L. Basehoar whose telephone number is (571)-272-

4121. The examiner can normally be reached on M-F: 7:00am - 4:00pm.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Steve Hong can be reached on (571) 272-4124. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

        Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

ALB

WILLIAM BASHORE
PRIMARY EXAMINER
11/27/2005